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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, in their) No. CV-09-0703 SI
capacities as Trustees of the LABORERS)
HEALTH AND WELFARE TRUST FUND)
FOR NORTHERN CALIFORNIA; LABORERS)
VACATION-HOLIDAY TRUST FUND FOR) EX PARTE APPLICATION FOR
NORTHERN CALIFORNIA; LABORERS) CONTINUANCE OF CASE
PENSION TRUST FUND FOR NORTHERN) MANAGEMENT CONFERENCE;
CALIFORNIA; and LABORERS TRAINING) (PROPOSED) ORDER
AND RETRAINING TRUST FUND FOR)
NORTHERN CALIFORNIA,)
)
Plaintiffs,)
)
v.)
)
ZOLMAN CONSTRUCTION AND)
DEVELOPMENT, INC., a California)
Corporation,)
)
Defendant.)

**TO: THE CLERK OF THE COURT AND DEFENDANT ZOLMAN CONSTRUCTION
 AND DEVELOPMENT, INC., and its counsel of record:**

Pursuant to Civil Local Rule 7-10, Plaintiffs hereby request that the initial case
 management conference scheduled for May 29, 2009 be continued for sixty days.

Plaintiffs served Defendant with the complaint on March 11, 2009, for which proofs of
 service were filed before this Court with the Summons evidencing such service on March 24, 2009.
 Defendant filed an Answer to the Complaint on May 8, 2009, pursuant to a Stipulation to Set Aside

the Entry of Default. The parties are in the process of settling this matter and anticipate that they will come to some resolution of this case in the coming thirty (30) days. Accordingly, the parties wish to continue the Case Management Conference currently scheduled to avoid unnecessary expenses and to promote the efficient use of judicial resources.

The above stated facts are set forth in the accompanying declaration of Concepción E. Lozano-Batista in Support of Ex Parte Application to Continue Case Management Conference, filed herewith.

Dated: May 19, 2009

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: /s/ CONCEPCIÓN E. LOZANO-BATISTA

118808/531467

ORDER CONTINUING CASE MANAGEMENT CONFERENCE

Based upon the foregoing Ex Parte Application for Continuance of Case Management Order and Declaration of Concepción E. Lozano-Batista in Support of Ex Parte Application to Continue Case Management Conference, the Court orders a continuance of the case management conference for sixty days. In addition, the Court Orders:

DATED: _____



HONORABLE SUSAN ILLSTON
JUDGE OF THE DISTRICT COURT

The case management conference has been continued to Friday, August 7, 2009, at 2:30 p.m.